

~~DUPLICATE~~

BEFORE THE
Federal Communications Commission

In the matter of)

Amendment of Section 73.202(b))

Table of Allotments,)

FM Broadcast Stations)

(Sells, Arizona))

MB Docket No. 02-376

RM-10617

RECEIVED

To: Office of Secretary
Attn: Chief, Audio Division
Media Bureau

JUL 15 2005

Federal Communications Commission
Office of Secretary

Motion for Leave to File Supplement to Opposition

Journal Broadcast Corporation ("Journal"), by its counsel, hereby moves for leave to file a Supplement to its Opposition¹ to the Petition for Reconsideration ("Petition") filed by Lakeshore Media, LLC ("Lakeshore") with regard to Report and Order, DA 04-3514 (Media Bureau, rel. November 22, 2004). Journal's Supplement to Opposition² is intended to bring to the Commission's attention in the context of this proceeding a substantive change in the facts as set forth and relied on by Lakeshore in its Petition. In support, Journal states the following:

In its Petition (paragraph 17), Lakeshore argued that the substitution of Channel 285C3 for Channel 285C2 at Willcox, Arizona, and the reallocation of Channel 285C3 from Willcox to Davis-Monthan Air Force Base, Arizona (and the modification of Station KWCX-FM's license accordingly) would not create a new "white" area because, among other reasons, the area in question would be served by the proposal of Cochise Broadcasting LLC ("Cochise"), the high

¹ Journal filed its Opposition on March 23, 2005.

² Journal is concurrently submitting its Supplement to Opposition.

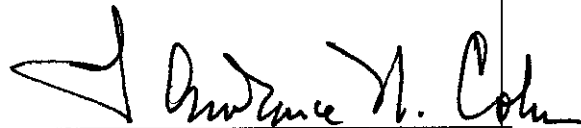
bidder in Auction #37 for a new FM station on Channel 279 at Lordsburg, New Mexico (BNPH-20041201CAN).

However, on June 9, 2005, Cochise filed a new FCC Form 301 application for FM Channel 279C1 at Lordsburg (BNPH-20050609ABD). The facility currently proposed by Cochise is materially different from the facility proposed by Cochise in BNPH-20041201CAN. As Lakeshore specifically relied in its Petition upon the service which was proposed by Cochise in its initial application, and as Journal responded in its Opposition to the argument advanced by Lakeshore based on the initial Cochise proposal (Id., paragraphs 8-9), and as that proposal has recently been replaced by a materially different proposal, Journal seeks leave to submit a Supplement to its Opposition to bring the relevant new facts regarding the new Cochise proposal to the Commission's attention in the context of this proceeding, and to present its views regarding the significance of the new facts.

For the foregoing reasons, Journal submits that the public interest would be served by granting Journal leave to file a Supplement to its Opposition (submitted concurrently).

Respectfully submitted

Journal Broadcast Corporation

A handwritten signature in black ink, appearing to read "Joseph M. Di Scipio", is written over a horizontal line.

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Date: July 15, 2005

CERTIFICATE OF SERVICE

I, Brenda Chapman, hereby certify that on this 15th day of July, 2005, a copy of the foregoing "Motion for Leave to File Supplement to Opposition" was delivered via first class, U.S. mail, postage prepaid, or via hand delivery where indicated, to the following:

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